

CHAPTER: XIX <b>APPEALS &amp; HEARINGS</b>	SECTION: 1 <b>OFFICE OF ADMINISTRATIVE HEARINGS</b>	COMAR: <b>07.03.03.23</b>
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## **REQUIREMENTS**

- A. The Office of Administrative Hearings (OAH) is an independent agency within the Executive Branch of state government, reporting directly to the Governor
- B. OAH is responsible for:
  1. Hearing all state administrative law contested cases and appeals
  2. Scheduling the date for fair hearings requests received from a:
    - Local department
    - Agency
    - Business
    - Applicant, or
    - Customer
  3. Sending notice of the hearing to the local department, agency, business, applicant, customer, and other involved parties:
    - At least 15 days before the scheduled hearing date
    - Rescheduling postponements
  4. Conducting an unbiased hearing
  5. Advising the parties involved of the right to be represented by a lawyer or other person of their choice
  6. Determining whether or not the administrative action taken was correct and in compliance with existing laws, program policies, and procedures based on the evidence submitted at the hearing
  7. Issuing the final administrative decision not later than 90 days after the date of the hearing
  8. Sending a copy of the decision to the parties and the local department

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- C. The decision rendered by an Administrative Law Judge (ALJ) is:
1. Binding on the local department, agency, or business; and
  2. Subject to review by the circuit court

**Note:** An individual who disagrees with the decision of the ALJ may appeal to circuit court.